IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8293 OF 2004

Dr.Ranjan Gaur Chandra Basu .. Petitioner.
Vs.
Ruchira Ashok Sonde & Ors. .. Respondents.

Mr.Jaydeep Dev for the petitioner.
Mr.R.S.Apte for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 27TH OCTOBER, 2004

P.C.:

. Heard Mr.Dev, learned counsel for the petitioner and Mr.Apte, learned counsel for the respondents.

2. Mr.Dev, learned counsel for the petitioner after arguing this matter for sometime, on instructions, submits that he is not pressing this petition on merits and the petitioner would be satisfied if he is given time to vacate the suit premises till 30th April, 2005. Mr.Apte, learned counsel for the respondent-landlady fairly stated that he has no objection for granting the time subject to condition that the petitioner and adult members in the family file usual undertaking in this court. After having heard the learned counsel

for the parties I am satisfied that the following order will meet the ends of justice:

(i) The petition is dismissed as not pressed.

(ii) The petitioner and his family members are allowed to stay in the suit premises till 30th April, 2005 subject to the condition that every adult member in the family to file usual undertaking in this court within two weeks from today with an advance copy of the undertaking to the respondents, failing which, it is open for respondent-landlady to execute the decree. At this stage Mr.Dev, learned counsel for the petitioner states that the following family members are in occupation of the suit premises: (i) Kumudini Gaur Basu; (ii) Amit Gaur Basu; (iii) Sarita Amit Basu and two minor sons of Amit and Sarita. In so far as the petitioner is concerned, Mr.Dev states that he is presently out of India and he has given power of attorney to his mother - Kumudini Gaur Basu. The mother of the petitioner to file undertaking for herself and on behalf of the petitioner.

. The petition is disposed of.

(D.B.Bhosale, J.)